United Nations A/AC.109/2015/L.3

General Assembly

Distr.: Limited
5 June 2015

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 69/97 of 5 December 2014, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of the timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

Having examined the report of the Secretary-General,[1]

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

[1] A/70/67.

15-09108 (E) 110615

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2. *Requests* the administering Powers concerned, in accordance with their Charter obligations, to transmit or continue to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to the economic, social and educational conditions in the Territories for which they are respectively responsible, and the fullest possible information on political and constitutional developments in the Territories concerned, including the constitution, legislative act or executive order providing for the government of the Territory and the constitutional relationship of the Territory to the administering Power, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures.

United Nations A/AC.109/2015/L.4

General Assembly

Distr.: Limited
5 June 2015

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular General Assembly resolution 69/106 of 5 December 2014,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to implementing the plan of action for the Third International Decade for the Eradication of Colonialism,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General, in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. III.

Please recycle

Recognizing also the role of the Department of Public Information of the Secretariat, through the United Nations information centres, in the dissemination of information at the regional level on the activities of the United Nations,

Recalling the issuance by the Department of Public Information, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization, and encourages the continued updating and wide dissemination of the information leaflet on what the United Nations can do to assist Non-Self-Governing Territories, published in accordance with General Assembly resolution 61/129 of 14 December 2006, and updated for the United Nations website on decolonization;

2. *Considers it important* to continue and expand its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options for self-determination available for the peoples of Non-Self-Governing Territories, and, to this end, requests the Department of Public Information, through the United Nations information centres in the relevant regions, to actively engage and seek new and innovative ways to disseminate material to the Non-Self-Governing Territories;

3. *Requests* the Secretary-General to further enhance the information provided on the United Nations decolonization website and to continue to include the full series of reports of the regional seminars on decolonization, the statements and scholarly papers presented at those seminars and links to the full series of reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

4. *Requests* the Department of Public Information to continue its efforts to update web-based information on the assistance programmes available to the Non-Self-Governing Territories;

5. *Requests* the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee and to continue their efforts to take measures through all of the media available, including publications, radio, television and the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(a) To develop procedures to collect, prepare and disseminate, particularly to the Non-Self-Governing Territories, basic material on the issue of self-determination of the peoples of the Territories;

(b) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(c) To explore further the idea of a programme of collaboration with the decolonization focal points of territorial Governments, particularly in the Pacific and Caribbean regions, to help to improve the exchange of information;

(d) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(e) To encourage the involvement of the Non-Self-Governing Territories in the dissemination of information on decolonization;

(f) To report to the Special Committee on measures taken in the implementation of the present resolution;

6. *Requests* all States, including the administering Powers, to accelerate the dissemination of information referred to in paragraph 2 above;

7. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its seventy-first session on the implementation of the present resolution.

United Nations A/AC.109/2015/L.5

General Assembly

Distr.: Limited
5 June 2015

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of sending visiting and special missions to Territories

The Special Committee,

Having considered the question of sending visiting missions to Territories,

Recalling the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to cooperate fully with the United Nations by receiving visiting missions in the Territories under their administration,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

Conscious that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of Non-Self-Governing Territories in attaining the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, in other relevant resolutions of the Assembly and in the plan of action for the Third International Decade for the Eradication of Colonialism,[1]

Recalling with satisfaction the work of the Special Committee visiting mission to New Caledonia, which took place from 10 to 15 March 2014, and taking note of its report,[2]

Recalling the two successful missions that were conducted to observe the referendums in Tokelau, in February 2006 and October 2007, at the invitation of New Zealand as the administering Power,[3]

[1] See resolution 65/119.
[2] See A/AC.109/2014/20/Rev.1.
[3] See A/AC.109/2006/20 and A/AC.109/2007/19.

Please recycle

Recalling also the cooperation of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, in having facilitated the United Nations special mission to the Turks and Caicos Islands in April 2006 at the request of the territorial Government,[4]

Recalling the importance of the previously expressed desire of the territorial Governments of American Samoa and of Anguilla for a visiting mission by the Special Committee,

1. *Stresses* the need to dispatch periodic visiting missions to Non-Self-Governing Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories, in accordance with the relevant resolutions of the United Nations on decolonization and the plan of action for the Third International Decade for the Eradication of Colonialism;[1]

2. *Calls upon* the administering Powers that have not yet done so to cooperate or continue to cooperate with the United Nations by facilitating United Nations visiting missions to the Territories under their administration, in accordance with the relevant resolutions of the United Nations on decolonization;

3. *Requests* the administering Powers to cooperate fully with the Special Committee in exploring the possibility of undertaking visiting or special missions in furtherance of the decolonization mandate of the General Assembly;

4. *Requests* its Chair to continue consultations with the administering Powers concerned and to report thereon to the Special Committee on the results of those consultations.

[4] See A/AC.109/2007/5.

United Nations A/AC.109/2015/L.6

General Assembly

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16 June 2015
English
Original: Spanish

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Bolivia (Plurinational State of), Cuba, Ecuador, Nicaragua, Syrian Arab Republic and Venezuela (Bolivarian Republic of): draft resolution

Decision of the Special Committee of 23 June 2014 concerning Puerto Rico

The Special Committee,

Bearing in mind the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, as well as the resolutions and decisions of the Special Committee concerning Puerto Rico,

Considering that the midway point of the period 2011-2020, proclaimed by the General Assembly, in its resolution 65/119 of 10 December 2010, as the Third International Decade for the Eradication of Colonialism, will soon be reached,

Bearing in mind the 33 resolutions and decisions adopted by the Special Committee on the question of Puerto Rico contained in the reports of the Special Committee to the General Assembly, in particular those adopted without a vote in recent years,

Recalling that 25 July 2015 marks the 117th anniversary of the intervention in Puerto Rico by the United States of America,

Noting with concern that despite the diverse initiatives taken by the political representatives of Puerto Rico and the United States in recent years, the process of the decolonization of Puerto Rico, in compliance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee on Puerto Rico, has not yet been set in motion,

Bearing in mind that the people of Puerto Rico mostly rejected its current status of political subordination on 6 November 2012, and that such status prevents it from taking sovereign decisions to address the serious economic and social problems of Puerto Rico, including unemployment, marginalization and poverty,

Stressing again the urgent need for the United States to lay the groundwork for the full implementation of General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico,

Noting that the Inter-agency Task Force on Puerto Rico's Status designated by the President of the United States, which submitted its third report on 16 March 2011, reaffirmed that Puerto Rico is a territory subject to United States congressional authority, and that to date the discussion of the issue of status is at a standstill,

Taking note of the Declarations adopted at the II and III Summits of the Community of Latin American and Caribbean States (CELAC) held in Havana, Cuba on 28 and 29 January 2014, and in Belén, Costa Rica, on 28 and 29 January 2015, respectively, in which the Latin American and Caribbean character of Puerto Rico is reiterated, note is taken of the resolutions on Puerto Rico adopted by the Special Committee, reiterating that it is an issue of interest for CELAC, a commitment is made to continue working, within the framework of international law, and in particular within the framework of General Assembly resolution 1514 (XV), to make the region of Latin America and the Caribbean a territory free of colonialism and colonies, and the CELAC Quartet, with the participation of other member States that wish to join the mandate, is tasked with presenting proposals to move forward on this matter,

Also noting the Special Declaration on Puerto Rico adopted by the Heads of State and Government of the Bolivarian Alliance for the Peoples of Our America, meeting in Caracas on 4 and 5 February 2012, whereby they expressed their strong support for the inalienable right of the people of Puerto Rico to self-determination and full independence; recalled that Puerto Rico is a Latin American and Caribbean nation with its own unmistakable identity and history, whose rights to sovereignty have been violated by the colonial rule imposed for more than a century; stressed that the cause of Puerto Rican independence concerns the region of Latin America and the Caribbean and their forums for dialogue and political cooperation, especially the Community of Latin American and Caribbean States, and demanded the release of political prisoners convicted of fighting for the independence and self-determination of Puerto Rico, including comrade Oscar López Rivera, who has been imprisoned under inhumane conditions for 34 years,

Further noting the "Panama Proclamation", adopted by the Latin American and Caribbean Congress in support of Puerto Rico's Independence, which was held in Panama on 18 and 19 November 2006 and attended by 33 political parties from 22 countries of the region, of which the conclusions were reaffirmed in the declaration adopted by the Council of the Socialist International in Cascais, Portugal, on 5 February 2013, which expressed support for the repeated and unanimous call of the Special Committee of the General Assembly to consider the colonial case of Puerto Rico, and for the release of Oscar López Rivera and other Puerto Rican patriots who are serving sentences in jails in the United States; and further expressed satisfaction and solidarity with the rejection by a majority of the people of Puerto Rico of the continuation of the current colonial status of Puerto Rico,

Noting also the debate in Puerto Rico on the search for a procedure that would enable the process of decolonization of Puerto Rico to begin, and aware of the ineffectiveness of consultations originating in the United States, of the principle that any initiative seeking a solution to the political status of Puerto Rico should originate from the people of Puerto Rico, and of the fact that, to date, several draft

laws in favour of convening a constitutional assembly on status have been presented in Puerto Rico,

Further noting the consensus among the people of Puerto Rico in favour of the release of Puerto Rican political prisoners, some of whom have been serving sentences in prisons in the United States of America for more than 34 years for reasons related to the struggle for the independence of Puerto Rico,

Noting the concern of the people of Puerto Rico over violent actions, including repression and intimidation, against supporters of Puerto Rican independence, including those that have recently come to light through documents declassified by federal agencies of the United States,

Aware that Vieques Island, Puerto Rico, was used for over 60 years by the United States Marine Corps to carry out military exercises, with negative consequences for the health of the population, the environment and the economic and social development of that Puerto Rican municipality,

Noting the consensus among the people and the Government of Puerto Rico on the need to clean up, decontaminate and return to the people of Puerto Rico of all the lands previously used for military exercises and installations, and use them for the social and economic development of Puerto Rico, as well as on the slowness of the process thus far,

Also noting the constant complaints made by the inhabitants of Vieques Island regarding the continued bombing and the use of open burning as a clean-up method, thereby exacerbating the existing health and pollution problems and endangering civilian lives,

Further noting that in the Final Document of the Sixteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries,[1] held in Tehran, Islamic Republic of Iran, from 26 to 31 August 2012, and other meetings of the Movement, the right of the people of Puerto Rico to self-determination and independence is reaffirmed under General Assembly resolution 1514 (XV); the Government of the United States is urged to assume its responsibility to expedite a process that will allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence and to return the territory and occupied installations on Vieques Island and at the Roosevelt Roads Naval Station to the Puerto Rican people, who constitute a Latin American and Caribbean nation; and the General Assembly is urged to actively consider the question of Puerto Rico in all its aspects,

Having heard statements and accounts representative of various viewpoints among the people of Puerto Rico and their social institutions,

Having considered the report of the Rapporteur of the Special Committee on the implementation of the resolutions concerning Puerto Rico:[2]

1. *Reaffirms* the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the applicability of the fundamental principles of that resolution to the question of Puerto Rico;

[1] A/67/506-S/2012/752, annex I.

[2] A/AC.109/2015/L.13.

2. *Reiterates* that the Puerto Rican people constitute a Latin American and Caribbean nation that has its own distinct national identity;

3. *Calls again* upon the Government of the United States of America to assume its responsibility to expedite a process that will enable the Puerto Rican people to fully exercise their inalienable right to self-determination and independence, in accordance and in full compliance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico, and to take decisions, in a sovereign manner, to address their urgent economic and social needs, including unemployment, marginalization and poverty;

4. *Notes* the broad support of eminent persons, Governments and political forces in Latin America and the Caribbean for the independence of Puerto Rico;

5. *Again notes* the debate in Puerto Rico on the implementation of a mechanism that would ensure the full participation of representatives of all sectors of Puerto Rican public opinion, including a constitutional assembly on status with a basis in the decolonization alternatives recognized in international law, and aware of the principle that any initiative seeking a solution to the political status of Puerto Rico should originate from the people of Puerto Rico;

6. *Expresses serious concern* over the actions carried out against supporters of Puerto Rican independence, and encourages the investigation of those actions with the necessary rigour and with the cooperation of the relevant authorities;

7. *Requests* the General Assembly to consider the question of Puerto Rico comprehensively and in all its aspects, and to decide on this issue as soon as possible;

8. *Urges* the Government of the United States, in line with the need to guarantee the legitimate right of the Puerto Rican people to self-determination and the protection of their human rights, to complete the return of occupied land and installations on Vieques Island and in Ceiba to the people of Puerto Rico, respect fundamental human rights, such as the right to health and economic development, and expedite and cover the costs of the process of cleaning up and decontaminating the areas previously used in military exercises through means that do not continue to worsen the serious consequences of its military activity in order to protect the health of the inhabitants of Vieques Island and the environment;

9. *Again calls upon* the President of the United States of America to release, on humanitarian grounds, Puerto Rican political prisoners Oscar López Rivera, who is 71 years old and has been serving a sentence in a United States jail for over 34 years for reasons related to the struggle for the independence of Puerto Rico, and welcomes the release of Norberto González Claudio;

10. *Takes note with satisfaction* of the report prepared by the Rapporteur of the Special Committee in compliance with the provisions of its resolution of 23 June 2014;

11. *Requests* the Rapporteur to report in 2014 2015 on the implementation of the present resolution;

12. *Decides* to keep the question of Puerto Rico under continuous review.

United Nations A/AC.109/2015/L.7

General Assembly

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23 June 2015
English
Original: Spanish

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Bolivia (Plurinational State of), Chile, Cuba, Ecuador, Nicaragua and Venezuela (Bolivarian Republic of): draft resolution

Question of the Falkland Islands (Malvinas)[1]

The Special Committee,

Having considered the question of the Falkland Islands (Malvinas),

Aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of 1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988, Special Committee resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 21 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988, A/AC.109/1008 of 15 August 1989, A/AC.109/1050 of 14 August 1990, A/AC.109/1087 of 14 August 1991, A/AC.109/1132 of 29 July 1992, A/AC.109/1169 of 14 July 1993, A/AC.109/2003 of 12 July 1994, A/AC.109/2033 of 13 July 1995, A/AC.109/2062 of 22 July 1996, A/AC.109/2096 of 16 June 1997, A/AC.109/2122 of 6 July 1998, A/AC.109/1999/23 of 1 July 1999, A/AC.109/2000/23 of 11 July 2000, A/AC.109/2001/25 of 29 June 2001, A/AC.109/2002/25 of 19 June 2002, A/AC.109/2003/24 of 16 June 2003, the resolution adopted on 18 June 2004, the resolution adopted on 15 June 2005, the resolution adopted on 15 June 2006, the resolution adopted on 21 June 2007, the resolution adopted on 12 June 2008, the resolution adopted on 18 June 2009 , the resolution adopted on 24 June 2010, the resolution adopted on 21 June 2011, the resolution adopted on 14 June 2012, the resolution adopted on 20 June 2013, the resolution adopted on 26 June 2014, and

[1] A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas) (see ST/CS/SER.A/42).

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Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

Distressed that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

Aware of the interest of the international community in the resumption by the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

Expressing its preoccupation over the fact that the good level of relations between Argentina and the United Kingdom has not yet led to negotiations on the question of the Falkland Islands (Malvinas),

Considering that this situation should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

Reaffirming the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

Calling attention to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas),

Reaffirming the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. *Reiterates* that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland;

2. *Takes note* of the views expressed by the President of the Argentine Republic on the occasion of the sixty-ninth session of the General Assembly and the Special Committee session of 14 June 2012;

3. *Regrets* that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects of the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. *Requests* the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

5. *Reiterates* its firm support for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. *Decides* to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

United Nations A/AC.109/2015/L.8

General Assembly

Distr.: Limited
18 June 2015

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A
General

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015,[1]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-ninth session on the individual Territories covered by the present resolutions,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. X.

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Recalling its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing concern that 55 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2] there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[3] and Third International Decades for the Eradication of Colonialism,

Recognizing that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Noting the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

Noting also the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Noting that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through orders in council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

Aware of the importance of the international financial services and tourism sectors for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

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[2] Resolution 1514 (XV).

[3] A/56/61, annex.

Mindful that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time, in consultation with the relevant administering Powers and in accordance with the relevant resolutions and decisions of the United Nations on decolonization,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the relevant administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Acknowledging the regular transmission by the administering Powers to the Secretary-General of information called for under Article 73 *e* of the Charter,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options for self-determination,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Noting the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and at its regional seminars,

Welcoming the Caribbean regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 19 to 21 May 2015 as a significant and forward-looking event, which enabled the participants to assess the progress made in the decolonization process and to review the existing working methods of the Committee and renew its momentum in implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[4] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[5]

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[4] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23).

[5] Resolution 65/119.

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation, and in that connection bearing in mind the applicability to the Territories of the programmes of action or outcome documents of all United Nations world conferences and special sessions of the General Assembly in the economic and social spheres,

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme, the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Recalling the statement made by the representative of the Economic Commission for Latin America and the Caribbean at the 2015 Caribbean regional seminar that all seven Caribbean Non-Self-Governing Territories were active associate members of the Commission,

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[6] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

Recognizing that the annual working papers prepared by the Secretariat on developments in each of the small Territories,[7] as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolutions,

Recalling the report of the Secretary-General on the Second International Decade for the Eradication of Colonialism,[8]

Taking note of the report of the Secretary-General on the implementation of General Assembly resolution 65/119 on the Third Decade for the Eradication of Colonialism,[9]

1. *Reaffirms* the inalienable right of the peoples of the Non-Self-Governing Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;[2]

[6] See resolution 2200 A (XXI), annex.
[7] A/AC.109/2015/1, 4-12 and 14.
[8] A/65/330 and Add.1.
[9] A/70/73.

2. *Also reaffirms* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

5. *Requests* the administering Powers to continue to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

6. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

7. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and, as a priority, to mitigate the effects of the current global financial crisis where possible, in consultation with the territorial Governments concerned, towards the strengthening and diversification of their respective economies;

8. *Requests* the Territories and the administering Powers to take all measures necessary to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with their prevailing rules of procedure;

9. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

10. *Stresses* the importance of implementing the plans of action for the Second[3] and Third International Decades for the Eradication of Colonialism, in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent

of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the context of the International Decades for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the various constitutional exercises in the respective Territories administered by the United Kingdom and the United States, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. *Requests* the Secretary-General to continue to report to the General Assembly on a regular basis on the implementation of decolonization resolutions adopted since the declaration of the Third International Decade for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights,[6] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Committee;

15. *Requests* the Special Committee to continue to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its seventy-first session and on the implementation of the present resolutions.

B

Individual Territories

The General Assembly,

Referring to resolution A above,

I

American Samoa

Taking note of the working paper prepared by the Secretariat on American Samoa[10] and other relevant information,

[10] A/AC.109/2015/12.

Taking note also of the statement made by the representative of the Governor of American Samoa at the Caribbean regional seminar held in Managua from 19 to 21 May 2015 that, while the Territory enjoyed a great deal of self-government, its current legal status was seen as an anachronism that exposed the Territory to situations beyond its control and needed to be remedied,

Aware that, under United States law, the Secretary of the Interior has administrative jurisdiction over American Samoa,[11]

Recalling the position of the administering Power and the statements made by representatives of American Samoa at regional seminars inviting the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to send a visiting mission to the Territory,

Aware of the work of the Future Political Status Study Commission, completed in 2006, the release of its report, with recommendations, in January 2007 and the creation of the American Samoa Constitutional Review Committee, as well as the holding in June 2010 of the Territory's fourth Constitutional Convention,

Noting the statement made by the representative of the Governor of American Samoa at the 2015 Caribbean regional seminar, expressing concern that the Territory continued to get its authority from the President and the Department of the Interior of the administering Power, that the Territory had no representation in the federal Congress and that its Constitution needed to be approved by the Government of the administering Power,

Acknowledging the outcome of the referendum held in November 2014, in which the proposal to give the Fono, the Territory's legislature, the authority to override the Governor's veto was rejected, and welcoming the discussion opened in the Territory as to the way forward,

Taking note of the decision of the United States Court of Appeals for the District of Columbia Circuit, issued on 5 June 2015, affirming the judgement of the United States District Court for the District of Columbia, which dismissed a lawsuit seeking a declaratory judgement that would have asserted that the citizenship clause of the Fourteenth Amendment of the Constitution of the United States extended to American Samoa,

Acknowledging the indication by the territorial Government, including at the 2015 Caribbean regional seminar, that certain federal laws have had and continue to have a debilitating impact on the Territory's ability to achieve sustainable economic growth,

Aware that, in July 2012, the United States passed Public Law 112-149, which includes a provision to delay the minimum wage increases in American Samoa, as provided by United States Public Law 110-28, until September 2015,

Aware also that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government,

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[11] United States Congress, 1929 (48 U.S.C. Sec. 1661, 45 Stat. 1253), and Secretary's Order 2657, Department of the Interior, United States of America, 1951, as amended.

1. *Welcomes* the work of the territorial Government with respect to moving forward on political status, local autonomy and self-governance issues with a view to making political and economic progress and in particular the announcement of a dialogue among the people of American Samoa on the Territory's future political status;

2. *Acknowledges* the indication by the territorial Government that American Samoa remain on the list of Non-Self-Governing Territories, under the purview of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, until such time at which its people have exercised their right to self-determination;

3. *Expresses its appreciation* for the invitation extended in 2015 by the Governor of American Samoa to the Special Committee to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chair of the Special Committee to take all the steps necessary to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in the diversification and sustainability of the economy of the Territory and to address employment and cost-of-living issues;

II
Anguilla

Taking note of the working paper prepared by the Secretariat on Anguilla[12] and other relevant information,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Government and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

Recalling also the statement made by the representative of Anguilla at the Pacific regional seminar held in Quito from 30 May to 1 June 2012 that the people of the Territory were concerned that they were being denied the full range of decolonization options under a drafting exercise that began in 2011,

Aware of the follow-up meeting, held after the 2012 Pacific regional seminar, between the Chair of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Chief Minister of Anguilla, who reiterated the urgent need for a visiting mission,

Noting the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, the decisions taken in 2008 and 2011 to set up

[12] A/AC.109/2015/14.

a drafting team to prepare a new constitution and present it for public consultation in the Territory and the recent efforts undertaken in that regard,

Noting also the participation of the Territory as a member in the Caribbean Overseas Countries and Territories Council and an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

Taking note of the general elections which took place in April 2015,

1. *Welcomes* the preparations made for a new constitution, and urges that constitutional discussions with the administering Power, including public consultations, be concluded as soon as possible;

2. *Requests* the administering Power to assist the Territory in its current efforts with regard to advancing the internal constitutional review exercise, if requested;

3. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chair of the Special Committee to take all the necessary steps to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in strengthening its commitments in the economic domain, including budgetary matters, with regional support as needed and appropriate;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

III
Bermuda

Taking note of the working paper prepared by the Secretariat on Bermuda[13] and other relevant information,

Aware of the statement made by the representative of Bermuda at the Pacific regional seminar held in Quito from 30 May to 1 June 2012,

Conscious of the different viewpoints of the political parties on the future status of the Territory, and noting the results of successive surveys by local media, according to which a majority of respondents did not wish to sever ties with the United Kingdom of Great Britain and Northern Ireland, the administering Power, and a minority was in favour of independence,

[13] A/AC.109/2015/6.

Recalling the dispatch of the United Nations special mission to Bermuda in 2005, at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) of 15 December 1960 and on the experiences of other small States that have achieved a full measure of self-government,

Noting serious concerns regarding good governance, transparency and accountability in the Territory, including with respect to external election campaign financing originating in a neighbouring country, which led the Premier to resign in May 2014 with a view to maintaining integrity and confidence in the political landscape,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and continues to regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Underlines* the need further to strengthen good governance, transparency and accountability in government for the benefit of the Territory;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

4. *Welcomes* the active participation of Bermuda in the work of the Economic Commission for Latin America and the Caribbean;

IV
British Virgin Islands

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands[14] and other relevant information,

Noting the statement made by the representative of the British Virgin Islands at the Caribbean regional seminar held in Quito from 28 to 30 May 2013 that, while the Territory's relationship with the administering Power was stable and not problematic, it could be enhanced,

Aware of the negative impact of the global economic slowdown on the growth of the financial and tourism services sectors of the Territory,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory and of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

Taking note of the general elections which took place in June 2015,

[14] A/AC.109/2015/7.

1. *Recalls* the 2007 Constitution of the British Virgin Islands, and stresses the importance of continued discussions on constitutional matters, to accord greater responsibility to the territorial Government for the effective implementation of the Constitution and increased levels of education relating to constitutional matters;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

4. *Recalls* the holding, in March 2014, of the meeting of the Inter-Virgin Islands Council between the Territory and the United States Virgin Islands;

V
Cayman Islands

Taking note of the working paper prepared by the Secretariat on the Cayman Islands[15] and other relevant information,

Conscious of the statement made by the representative of the territorial Government at the 2010 Pacific regional seminar held in Nouméa,

Aware of the work, in accordance with the 2009 Constitution, of the Constitutional Commission, which serves as an advisory body on constitutional matters,

Aware that, in spite of the global economic downturn, the tourism sector continued to be one of the key drivers for economic growth and that the financial services sector reportedly continued to bring about slight growth in 2014,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory and of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

1. *Recalls* the 2009 Constitution of the Cayman Islands, and stresses the importance of the work of the Constitutional Commission, including its work on human rights education;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

4. *Also welcomes* the efforts made by the territorial Government to continue to implement financial sector management policies, medical tourism initiatives and unemployment alleviation programmes in various economic sectors;

[15] A/AC.109/2015/8.

VI
Guam

Taking note of the working paper prepared by the Secretariat on Guam[16] and other relevant information,

Noting the statement made by the representative of the Governor of Guam at the Caribbean regional seminar held in Managua from 19 to 21 May 2015, in which he presented an update on the efforts of Guam towards decolonization, including by securing funding for the public education programme on self-determination, and on the engagement of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination in reinforcing public awareness in order to address the limited and distorted understanding of decolonization,

Noting also the concern expressed by the representative of the Governor about the reinstatement of a lawsuit challenging the voting restrictions for the Territory's plebiscite on self-determination,

Cognizant of the efforts made by the Guam Commission on Decolonization to promote in the Territory the holding of a plebiscite on self-determination, to populate the decolonization registry, as required by public law, to enhance the ability to expediently register those who have not yet been registered and to identify and secure territorial and federal resources for a self-determination education programme,

Aware that, under United States law, the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[17]

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

Cognizant of the importance of the administering Power continuing to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of the deep concern expressed by civil society and other parties regarding the potential social, cultural, economic and environmental impacts of the planned transfer of additional military personnel of the administering Power to the Territory,

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[16] A/AC.109/2015/4.

[17] United States Congress, Organic Act of Guam, 1950, as amended.

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Welcomes* the convening of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination and its ongoing work on a self-determination vote, as well as its public education efforts;

2. *Stresses* that the decolonization process in Guam should be compatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

3. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, encourages the administering Power and the territorial Government to enter into negotiations on the matter, and stresses the need for continued close monitoring of the overall situation in the Territory;

4. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

5. *Also requests* the administering Power to assist the Territory by facilitating public outreach efforts, including through the funding of the public education campaign, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, and welcomes the recent outreach work by the territorial Government;

6. *Further requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

VII
Montserrat

Taking note of the working paper prepared by the Secretariat on Montserrat[18] and other relevant information,

Noting with concern the continuing consequences of the 1995 volcanic eruption which led to the evacuation of three quarters of the population of the Territory to safe areas of the island and to areas outside the Territory and which continues to have enduring consequences for the economy of the island,

Acknowledging the continuing assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

[18] A/AC.109/2015/9.

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

Aware that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Taking note of the letter dated 2 June 2015 from the Premier of Montserrat addressed to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, requesting to address the Special Committee in order to share the concerns of his Government regarding some situations that affect the lives of Montserratians,

Noting the importance of improving the infrastructure and accessibility of Montserrat, as conveyed by the Premier of Montserrat to the Chair of the Special Committee in their meeting on 11 May 2015,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory and of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

1. *Recalls* the 2011 Constitution of Montserrat and the work of the territorial Government with respect to moving forward to consolidate the gains provided for in the Constitution;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the Territory's participation in the work of the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean;

4. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII
Pitcairn

Taking note of the working paper prepared by the Secretariat on Pitcairn[19] and other relevant information,

Taking into account the unique character of Pitcairn in terms of population, area and access,

Aware that the administering Power and the territorial Government have implemented a governance structure to strengthen administrative capacity in the Territory, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

[19] A/AC.109/2015/5.

Cognizant that the administering Power and the territorial Government have developed a five-year strategic development plan, covering the period from 2012 to 2016, that sets out the views and aspirations of the people of the Territory for the socioeconomic development of the Territory,

Aware of the assessment made in 2013 that the population of the Territory needs to be boosted if the Territory is to have a sustainable future and of the approval by the Pitcairn Island Council of an immigration policy and the repopulation plan, covering the period from 2014 to 2019, designed to promote immigration and repopulation and bring people with the necessary skills and commitment to Pitcairn,

Noting with concern the findings contained in the final report on the survey commissioned by the Pitcairn Island Council to ascertain whether members of the diaspora had any interest in returning to the Territory and the factors conditioning a decision,

1. *Welcomes* all efforts by the administering Power and the territorial Government that would further devolve operational responsibilities to the Territory, with a view to gradually expanding self-government, including through training of local personnel;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support socioeconomic and environmental security in Pitcairn, including concerning demographic matters;

4. *Welcomes* the work carried out on the preparation of the five-year strategic development plan for the island;

IX
Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena[20] and other relevant information,

Taking note also of the statement made by the representative of Saint Helena at the Caribbean regional seminar held in Managua from 19 to 21 May 2015 that the Territory had no aspiration to independence and had been able to have a formal form of government,

Noting the concerns expressed by the representative of Saint Helena about the potential negative impacts of the construction of the airport, including the growing number of expatriate families settling in the Territory and the lack of a specific plan to operate an air route or sea link between Saint Helena and neighbouring islands,

[20] A/AC.109/2015/1.

Noting also the information provided by the representative of Saint Helena that, although the 2009 Constitution of Saint Helena enshrined human rights provisions, some international instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, have not yet been extended to the Territory,

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Recalling the fact that, in January 2013, following a resolution passed in September 2012 by the Legislative Council to undertake minor adjustments to the 2009 Constitution, a public consultation process was launched,

Aware that a consultative poll was held in March 2013, with the majority opting for no change to the Constitution, and that, for the first time, a general election based on one constituency was held in July 2013,

Cognizant that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Aware of the efforts of the administering Power and the territorial Government to improve the socioeconomic conditions of the population of Saint Helena, in particular in the areas of employment, transport and communications infrastructure,

1. *Stresses* the importance of the 2009 Constitution of the Territory and the further development of democratic and good governance;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socioeconomic development challenges of the Territory;

X
Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands[21] and other relevant information,

Taking note also of the statement made by the representative of the Turks and Caicos Islands at the Caribbean regional seminar held in Managua from 19 to 21 May 2015,

Recalling also the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006 at the request of the territorial Government and with the concurrence of the administering Power,

Noting the decision of the administering Power to suspend parts of the 2006 Constitution, the subsequent presentation of a draft constitution for public consultation in 2011 and the introduction of a new constitution for the Territory, as well as the election of a new territorial Government in 2012,

[21] A/AC.109/2015/11.

Aware that the 2014 report of the Constitutional Review Committee, which was submitted to and considered by the House of Assembly, is under consideration by the administering Power,

Recalling that, in March 2014, the Heads of Government of the Caribbean Community received an update on the situation in the Turks and Caicos Islands, which they will continue to monitor, and that they expressed their support for the full restoration of democracy in the Territory on terms driven by its people,

Acknowledging the impact that the global economic slowdown and other relevant developments have had on tourism and related real estate development, which are the mainstays of the economy of the Territory,

1. *Reiterates its support* for the full restoration of democracy in the Territory and the work of the Constitutional Review Committee in that regard, and notes the efforts of the administering Power to restore good governance, including through the introduction in 2011 of a new constitution and the holding of elections in November 2012, and sound financial management in the Territory;

2. *Notes* the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

3. *Also notes* the continuing debate on constitutional reform within the Territory, and stresses the importance of participation by all groups and interested parties in the consultation process;

4. *Stresses* the importance of having in place in the Territory a constitution that reflects the aspirations and wishes of its people, based on the mechanisms for popular consultation;

5. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

7. *Also welcomes* the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory;

XI
United States Virgin Islands

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[22] and other relevant information,

Aware that, under United States law, the relations between the territorial Government and the federal Government in all matters that are not the programme

[22] A/AC.109/2015/10.

responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[23]

Aware also of the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as its requests to the administering Power and the United Nations system for assistance to its public education programme,

Cognizant that a draft constitution was proposed in 2009 and subsequently forwarded to the administering Power, which in 2010 requested the Territory to consider its objections to the draft constitution,

Cognizant also that the Fifth Revision Convention, established and convened in 2012, was mandated to ratify and approve the final revised draft constitution,

Noting the holding of elections in the Territory in November 2014,

Aware of the closing of the Hovensa plant, and noting the continuing negative impact on manufacturing and on the employment situation in the Territory,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

2. *Requests* the administering Power to facilitate the process for approval of the proposed territorial constitution in the United States Congress and its implementation, once agreed upon in the Territory;

3. *Also requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter, and in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

4. *Expresses its concern* regarding the continuing negative impact of the Hovensa plant closure;

5. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

7. *Recalls* the holding, in March 2014, of the meeting of the Inter-Virgin Islands Council between the Territory and the British Virgin Islands.

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[23] United States Congress, Revised Organic Act, 1954.

United Nations A/AC.109/2015/L.9

General Assembly

Distr.: Limited
19 June 2015

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 69/107 of 5 December 2014, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 65/119 of 10 December 2010, by which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and the need to examine ways and means to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2011,

Regretting that measures to eliminate colonialism by 2010, as called for in its resolution 55/146 of 8 December 2000, have not been successful,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

Noting with satisfaction the continued efforts of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23).

Please recycle

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of certain administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Noting that the Caribbean regional seminar was held in Managua from 19 to 21 May 2015,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 65/119, by which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all steps necessary to enable the peoples of the Non-Self-Governing Territories to exercise fully as soon as possible their right to self-determination, including independence, on a case-by-case basis;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[2]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with the relevant resolutions of the United Nations on decolonization;

5. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions and seminars;

6. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, as soon as possible, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

7. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and the October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

8. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the Second and Third International Decades for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

[2] Resolution 217 A (III).

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its seventy-first session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To develop and finalize, as soon as possible and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all steps necessary to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non Self-Governing Territories;

9. *Calls upon* the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate, and, inter alia, to facilitate visiting missions of the Committee to the Territories on a case-by case-basis and in accordance with relevant United Nations resolutions on specific Territories;

10. *Reaffirms* that the United Nations visiting missions to the Non-Self-Governing Territories, where applicable, are an effective means of ascertaining the situation of the peoples of the Territories, in accordance with relevant United Nations resolutions on specific Territories, and therefore requests the Special Committee to undertake at least one visiting mission a year;

11. *Recalls* that the plan of action for the Second International Decade for the Eradication of Colonialism,[3] updated as necessary, represents an important legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

12. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to

[3] A/56/61, annex.

give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

13. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

14. *Urges* the administering Powers to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the relevant administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories;

15. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance, as needed, to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

16. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

17. *Requests* the Secretary-General, President pro tempore of the Special Committee, to meet informally at least once a year with the Chair and the Bureau of the Committee during the intersessional period, in order to explore innovative ways of using his good offices to help to advance the decolonization agenda on a case-by-case basis;

18. *Approves* the report of the Special Committee covering its work during 2015,[1] in which the programme of work for 2016 is outlined, in particular the Pacific regional seminar and a visiting mission to one of the Territories on its agenda, in accordance with relevant United Nations resolutions on specific Territories;

19. Requests the Secretary-General to review and augment the resources at the disposal of the Special Committee in order to ensure that the Committee has the funding, facilities and services commensurate with its programme of work for 2016, and also requests the Secretary-General to implement the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Committee.

United Nations A/AC.109/2015/L.9/Rev.1

General Assembly

Distr.: Limited
25 June 2015

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 69/107 of 5 December 2014, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 65/119 of 10 December 2010, by which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and the need to examine ways and means to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2011,

Regretting that measures to eliminate colonialism by 2010, as called for in its resolution 55/146 of 8 December 2000, have not been successful,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23).

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Please recycle

Noting with satisfaction the continued efforts of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of certain administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Noting that the Caribbean regional seminar was held in Managua from 19 to 21 May 2015,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 65/119, by which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all steps necessary to enable the peoples of the Non-Self-Governing Territories to exercise fully as soon as possible their right to self-determination, including independence, on a case-by-case basis;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[2]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with the relevant resolutions of the United Nations on decolonization;

5. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions and seminars;

6. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, as soon as possible, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

7. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and the October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

8. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the

[2] Resolution 217 A (III).

actions approved by the General Assembly regarding the Second and Third International Decades for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its seventy-first session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To develop and finalize, as soon as possible and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all steps necessary to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;

9. *Calls upon* the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate, and, inter alia, to facilitate visiting missions of the Committee to the Territories on a case-by case-basis and in accordance with relevant United Nations resolutions on specific Territories;

10. *Reaffirms* that the United Nations visiting missions to the Non-Self-Governing Territories, where applicable, are an effective means of ascertaining the situation of the peoples of the Territories, in accordance with relevant United Nations resolutions on specific Territories, and therefore requests the Special Committee to undertake at least one visiting mission a year;

11. *Recalls* that the plan of action for the Second International Decade for the Eradication of Colonialism,[3] updated as necessary, represents an important legislative authority for the attainment of self-government by the Non-Self-

[3] A/56/61, annex.

Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

12. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

13. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

14. *Urges* the administering Powers to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the relevant administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories;

15. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance, as needed, to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

16. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

17. *Requests* the Secretary-General, President pro tempore of the Special Committee, to meet informally at least once a year with the Chair and the Bureau of the Committee during the intersessional period, in order to explore innovative ways of using his good offices to help to advance the decolonization agenda on a case-by-case basis;

18. *Approves* the report of the Special Committee covering its work during 2015,[1] in which the programme of work for 2016 is outlined, in particular the Pacific regional seminar and a visiting mission to one of the Territories on its agenda, in accordance with relevant United Nations resolutions on specific Territories;

19. *Requests* the Secretary-General to review and augment the resources at the disposal of the Special Committee in order to ensure that the Committee has the funding, facilities and services commensurate with its envisioned yearly programmes, as mandated in relevant General Assembly resolutions, including especially its resolution 69/107, paragraph 7.

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General Assembly

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5 June 2015

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General[1] and the report of the Economic and Social Council[2] on the item,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 relating to the item,[3]

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including, in particular, Economic and Social Council resolutions 2013/43 of 25 July 2013 and 2014/25 of 16 July 2014,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

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[1] A/70/64.

[2] E/2015/65.

[3] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. VI.

Please recycle

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Welcoming also the participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social spheres, subject to the rules of procedure of the General Assembly and in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the resources necessary for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective responsibilities, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance that they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various resolutions and decisions of the United Nations relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling its resolution 69/99 of 5 December 2014 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[1]

2. *Recommends* that all States intensify their efforts through the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant resolutions of the General Assembly;

4. *Also reaffirms* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system to intensify their engagement with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples as an important element for the implementation of General Assembly resolution 1514 (XV), including possible participation at the regional seminars on decolonization, upon the invitation of the Special Committee;

7. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

8. *Urges* those specialized agencies and other organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

9. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective

mandates, in order to accelerate progress in the economic and social sectors of those Territories;

10. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(a) Environmental problems facing the Non-Self-Governing Territories;

(b) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(c) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(d) Illegal exploitation of the marine and other natural resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

11. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

12. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

13. *Recalls* the adoption by the Economic Commission for Latin America and the Caribbean of its resolution 574 (XXVII) of 16 May 1998,[4] calling for the necessary mechanisms for its associate members, including Non-Self-Governing Territories, to participate in the special sessions of the General Assembly, subject to the rules of procedure of the Assembly, to review and assess the implementation of the plans of action of those United Nations world conferences in which the Territories originally participated in the capacity of observer, and in the work of the Economic and Social Council and its subsidiary bodies;

14. *Requests* the Chair of the Special Committee to continue to maintain close contact on these matters with the President of the Economic and Social Council;

15. *Recalls* the publication by the Department of Public Information and the Department of Political Affairs of the Secretariat, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories, which was updated for the United Nations website on decolonization, and requests its continued updating and wide dissemination;

16. *Welcomes* the continuing efforts made by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the

[4] See *Official Records of the Economic and Social Council, 1998, Supplement No. 21* (E/1998/41), sect. III.G.

Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

17. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies, inter alia, with the assistance of the relevant specialized agencies;

18. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the General Assembly and the Special Committee on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

19. *Recommends* that all Governments intensify their efforts through the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

20. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

21. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

22. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

23. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the measures necessary to implement it, and also requests the Secretary-General to report to the General Assembly at its seventieth session on the implementation of the present resolution;

24. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its seventy-first session.

United Nations A/AC.109/2015/L.11

General Assembly

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5 June 2015

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 relating to the item,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all other relevant resolutions of the General Assembly, including, in particular, resolutions 46/181 of 19 December 1991, 55/146 of 8 December 2000 and 65/119 of 10 December 2010,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. V.

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Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socioeconomic development of the Territories and also to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socioeconomic development of the Territories, especially during times of economic and financial crisis;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Reaffirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories, and in this regard reminds the administering Powers of their responsibility and accountability vis-à-vis any detriment to the interests of the people of those territories, in accordance with relevant resolutions of the United Nations on decolonization;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621

(XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Calls upon* the administering Powers to ensure that the exploitation of the marine and other natural resources in the Non-Self-Governing Territories under their administration is not in violation of the relevant resolutions of the United Nations, and does not adversely affect the interests of the peoples of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV);

12. *Appeals* to trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories, and also appeals to the media to disseminate information about the developments in this regard;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its seventy-first session.

United Nations A/AC.109/2015/L.12

General Assembly

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24 June 2015

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Ecuador, Fiji, Papua New Guinea and Sierra Leone: draft resolution

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 relating to New Caledonia,[1]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote equitable political, economic and social development in the Territory, including measures in the area of environmental protection, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Recalling the report of the Special Rapporteur on the rights of indigenous peoples on the situation of Kanak people in New Caledonia, submitted to the Human Rights Council at its eighteenth session, held from 12 to 30 September and on 21 October 2011,[2] following his visit to the Territory in February 2011,

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[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. IX.

[2] A/HRC/18/35/Add.6, annex.

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Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region, including through the hosting of New Caledonian delegates in the French diplomatic and consular missions in the region,

Recalling the conclusions of the nineteenth Melanesian Spearhead Group Leaders Summit, under the historic inaugural Chairmanship of the Front de libération nationale kanak socialiste of New Caledonia, held in Nouméa on 20 June 2013, including the Leaders Declaration of the Group reaffirming the strong commitment and support, including technical assistance, for the self-determination of New Caledonia, in accordance with the Charter of the United Nations and the Nouméa Accord,[3]

Welcoming the exchange of letters between the Department of Political Affairs of the Secretariat and the Melanesian Spearhead Group secretariat on the sharing of information on New Caledonia,

Mindful that New Caledonia has entered the most seminal phase of the Nouméa Accord process, a period that requires continued close monitoring by the United Nations of the situation in the Territory in order to help the people of New Caledonia to exercise their right to self-determination in accordance with the objectives set out in the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Welcoming the Charter of the Kanak people, common base of the fundamental values and principles of the Kanak civilization, which was proclaimed in April 2014 by the customary authorities, Great Chiefs, Chiefs, Presidents of District Councils and Presidents of the Clan Chiefs Councils, as the sole traditional custodians of the Kanak people of New Caledonia,

Welcoming also the dispatch of a United Nations visiting mission to New Caledonia in March 2014,

Recalling the statement of the Chair of the visiting mission,

Having examined the report of the United Nations visiting mission to New Caledonia,[4]

Welcoming the cooperation of the administering Power with regard to the work of the Special Committee relating to New Caledonia and its readiness for and concurrence with the dispatching of the 2014 visiting mission,

Taking note of the statement of the representative of the administering Power,

Acknowledging the successful conduct by New Caledonia of municipal and provincial elections in May 2014,

Taking note of the information presented to the Caribbean and Pacific regional seminars on the implementation of the Third International Decade for the Eradication of Colonialism held in Managua from 19 to 21 May 2015 and in Nadi, Fiji, from 21 to 23 May 2014, on the situation in the Territory, including on the issues related to the 2014 elections,

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[3] A/AC.109/2114, annex.

[4] A/AC.109/2014/20/Rev.1.

Aware of the challenges encountered in the 2014 provincial electoral process, particularly with regard to the work of the special administrative committees in updating the special electoral roll, the non-existence of the supplementary electoral roll from 1998 and the unavailability of the 1998 general electoral roll prior to 2014, and their potential impact on the referendum on self-determination,

1. *Reaffirms its approval* of the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2014 relating to New Caledonia;[1]

2. *Reiterates its endorsement* of the report, observations, conclusions and suggested recommendations of the United Nations visiting mission to New Caledonia conducted in 2014;[4]

3. *Expresses its appreciation* to the administering Power and the Government of New Caledonia for the close cooperation and assistance extended to the visiting mission;

4. *Notes* the concerns expressed regarding the challenges encountered in the provincial elections process with respect to the persistent varying interpretations of the restricted electorate provisions and the voter registration appeal process, and encourages the administering Power and the people of New Caledonia to address in an amicable and peaceful manner the concerns of all stakeholders under the existing relevant laws in the Territory and in France, while also respecting and upholding the spirit and letter of the Nouméa Accord;

5. *Expresses the view* that adequate measures for conducting the upcoming consultations on access to full sovereignty, including a just, fair, credible and transparent electoral roll, as provided in the Nouméa Accord, are essential for the conduct of a free, fair and genuine act of self-determination consistent with the Charter of the United Nations and United Nations principles and practices;

6. *Welcomes* in that respect the continuous dialogue undertaken by the parties in the framework of the committee of signatories to the Nouméa Accord to establish the parameters of the conduct of a conclusive act of self-determination, including the setting of an electoral roll, as provided in the Accord;

7. *Takes note* of the outcome of the twelfth meeting of the committee of signatories to the Nouméa Accord, held on 3 October 2014, which, inter alia, stressed the commitment of the administering Power to enable the people of New Caledonia to decide their future status in a fair, credible, democratic and transparent self-determination process consistent with the Accord;

8. *Notes with interest* the convening of the extraordinary meeting of the committee of signatories to the Nouméa Accord held in Paris on 5 June 2015 regarding the self-determination process of New Caledonia, including in particular the electoral roll for the referendum and related issues;

9. *Calls upon* France, the administering Power, in the light of the observations, conclusions and suggested recommendations of the visiting mission, to consider developing an education programme to inform the people of New Caledonia about the nature of self-determination so that they may be better prepared to face a future decision on the matter, and requests the Special Committee to provide all available assistance in that regard;

10. *Commends* the observations, conclusions and suggested recommendations of the visiting mission to the Government of France, as the administering Power, and the Government of New Caledonia for appropriate action;

11. *Urges* all the parties involved, in the interest of the people of New Caledonia and within the framework of the Nouméa Accord, to maintain their dialogue in a spirit of harmony and mutual respect in order to continue to promote a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, based on the principle that it is for the populations of New Caledonia to choose how to determine their destiny;

12. *Reaffirms* its resolutions 69/97 of 5 December 2014 and 68/87 of 11 December 2013, respectively, in which the General Assembly, inter alia, reaffirmed that, in the absence of a decision by the Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

13. *Welcomes* the actions taken by the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter, particularly the submission on 8 January 2015 on the most recent developments in New Caledonia;

14. *Notes* the continuing concerns expressed by the Kanak people regarding their underrepresentation in governmental and social structures, incessant migratory flows and the impact of mining on the environment;

15. *Commends* the "Cadres for the future" programme and encourages further enhancement of the training and capacity-building of high-level executives in the public and private sectors in the Territory, particularly in view of the ongoing transfer of powers from the Government of France to New Caledonia, while ensuring that the transfer of powers is undertaken in a manner consistent with the Nouméa Accord;

16. *Recalls* the observations and recommendations contained in the report of the Special Rapporteur on the rights of indigenous peoples on the situation of Kanak people in New Caledonia,[2] made in the light of relevant international standards, to assist with ongoing efforts to advance the rights of the Kanak people in the context of the implementation of the Nouméa Accord and the United Nations-supported decolonization process;

17. *Welcomes* the strengthening of the economic and social rebalancing initiatives undertaken by the administering Power, and urges its continuation in all areas and communities of the Territory, especially of the well-being of the Kanak indigenous people;

18. *Encourages* the administering Power, with the cooperation of the Government of New Caledonia, to ensure and enhance safeguards for and guarantees of the inalienable right of the people of the Territory to own, access, use and manage their natural resources, including proprietary rights for their future development;

19. *Recalls* the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, and notes the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund;

20. *Welcomes* the accession of the Front de libération nationale kanak socialiste to the Chair of the Melanesian Spearhead Group, the hosting, for the first time in New Caledonia, in June 2013, of the meetings of officials and leaders of the Group, the successful completion of the chairmanship tenure in June 2015 and the opening, in February 2013, of the Front de libération nationale kanak socialiste unit at the headquarters of the Group secretariat in Port Vila;

21. *Acknowledges* the contribution of the Jean-Marie Tjibaou Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

22. *Welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

23. *Takes note* of the information shared by participants from New Caledonia at the Caribbean and Pacific regional seminars on the implementation of the Third International Decade for the Eradication of Colonialism held in Managua from 19 to 21 May 2015 and in Nadi from 21 to 23 May 2014, including on measured progress made in the social, economic, political and environmental spheres and more focused efforts, particularly on the rebalancing initiatives and electoral roll concerns, necessary for the long-term shared mutual benefit of all New Caledonians, and urges the administering Power and the Government of New Caledonia to devote appropriate attention to addressing these issues;

24. *Welcomes* the peaceful conduct of provincial elections in New Caledonia on 11 May 2014, the preceding municipal elections and the subsequent efforts to form a new Government of New Caledonia, and encourages constructive engagement by all stakeholders in further developing New Caledonia for all, including by respecting and upholding the Nouméa Accord;

25. *Stresses* the importance of the agreement between the signatories to the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

26. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

27. *Requests* the Special Committee to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its seventy-first session.

United Nations A/AC.109/2015/L.13

General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Special Committee decision of 23 June 2014 concerning Puerto Rico

Report prepared by the Rapporteur of the Special Committee, Bashar Ja'afari (Syrian Arab Republic)

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I. Introduction

1. At its 5th meeting, on 23 June 2014, the Special Committee adopted draft resolution A/AC.109/2014/L.6 on the question of the Special Committee decision of 17 June 2013 concerning Puerto Rico. In paragraph 11 of the resolution, the Special Committee requested the Rapporteur to submit a report on the implementation of the resolution. The present report was prepared by the Rapporteur in compliance with that request. It considers Puerto Rico in the light of previous reports prepared by the Rapporteur; recent political, economic, military and regional developments concerning Puerto Rico; and action taken by United Nations bodies on the matter.

II. Background information

A. General

2. Puerto Rico is the most easterly and smallest island of the Greater Antilles, in the Caribbean Sea. It has a land area of 8,959 km^2, including the small nearby islands of Vieques, Culebra and Mona. More than three fourths of Puerto Rico is mountainous and the range that runs its length reaches an elevation of 1,338 m at its highest point.

3. Over the past six decades, the island evolved from an agricultural to an urban/industrial society, with slower population growth, higher life expectancy and massive migration to the United States of America. Most of the inhabitants speak Spanish, although a number also speak English.

4. According to the Government Development Bank for Puerto Rico), the population of Puerto Rico in 2014 was estimated at 3.6 million with a population growth rate of -0.65 and a net migration rate of -8.93 migrants/1,000 population.[1] According to a 2014 Pew Research Center report,[2] Puerto Rico has lost more migrants to the United States mainland since 2010 than during the 1980s or 1990s. The report found that the search for economic opportunity was the most commonly given explanation for the migration of island-born Puerto Ricans to the mainland from 2006 to 2013. The United States Census Bureau projects the island's population loss will continue gradually through at least 2050, when it is expected that about 3 million people will live there. In 2010, the total population had decreased by 2.2 per cent as compared with 2000, owing to migration and a low birth rate. The fact that the majority of people leaving the island today are young professionals contributes to a brain drain. According to the data of the Economic Analysis Division of the Government Development Bank for Puerto Rico, as of December 2014, the life expectancy at birth was 79.09 years for the total population (82.8 years for females and 75.46 years for males). According to the same source, between 2000 and 2007, about 359,585 Puerto Ricans settled in the continental United States, while almost one million had settled there between the 1950s and the 1980s. An estimated 4.6 million Puerto Ricans currently live in the United States.

[1] Government Development Bank for Puerto Rico, Economic Analysis Division. December 2014.

[2] D'Vera Cohn, Eileen Patten and Mark Hugo Lopez, "Puerto Rican population declines on island, grows on U.S. mainland", Pew Research Center, 11 August 2014.

5. United States citizenship is granted to people born in Puerto Rico. They do not have the right to vote in United States presidential or congressional elections unless they reside on the United States mainland. In addition, the Supreme Court of Puerto Rico has recognized Puerto Rican citizenship in a Court decision. Puerto Rico's Department of State issues a certification of such citizenship, which Puerto Ricans may claim through a protocol established by the Department.

6. The main political parties in the Territory differentiate themselves mostly by their position on the ultimate political status of Puerto Rico, with none being satisfied with the status quo. The Partido Popular Democrático (PPD) favours an enhanced commonwealth status that is non-territorial and non-colonial. Under non-territorial status, Puerto Rico would cease to be subject to the territorial clause of the United States Constitution. United States citizenship would be retained but Puerto Rico would have greater governmental authority over its own affairs and more latitude to establish regional and international relations. A sector of PPD would like to legitimize once again the present free associated State status, which was rejected by the majority of the Puerto Rican people in the first part of the 6 November 2012 plebiscite. The Partido Nuevo Progresista (PNP) favours Puerto Rico's full integration as a State of the United States. Support for PPD remains slightly higher than for PNP. The third party, the Partido Independentista Puertorriqueño (PIP), favours independence for the island. There are pro-independence groups and organizations that do not participate in the elections because they consider that in a colonial context, elections do not represent a true democratic exercise, while some cast strategic votes in favour of the PPD candidate for Governor in order to prevent the ascension to power of statehood supporters. In the upper house, PPD holds 18 of 27 seats, PNP holds 8 and PIP 1. In the lower house, PPD holds 28 of 51 seats and PNP 23.

B. Constitutional and political status

7. Puerto Rico currently holds commonwealth status with the United States. The 1952 Constitution of the Commonwealth of Puerto Rico is described in detail in paragraphs 91 to 119 of the Rapporteur's report of 1974 (A/AC.109/L.976). In brief, the Government consists of: (a) a Governor elected for four years at each general election; (b) a Legislative Assembly comprising two houses, the Senate (27 members) and the House of Representatives (51 members), elected by direct vote of the adult population at each general election; and (c) a Supreme Court and lower courts. The jurisdiction of the United States federal courts includes Puerto Rico. Puerto Rico is represented in the United States Government by a Resident Commissioner, who is a non-voting member of the United States House of Representatives, but a voting member of any committees on which he or she sits.

8. There are two judicial systems: Puerto Rico's courts and the United States District Court for the District of Puerto Rico. The latter functions in Puerto Rico with limited jurisdiction and can be reached only for cases under United States federal law or for cases where there is diversity of State citizenship, that is, when a citizen of one State sues a citizen of another State. Cases before Puerto Rico's Supreme Court involving federal law can be appealed to the United States Supreme Court. Appeals to the First Circuit are taken from the United States District Court for the District of Puerto Rico, which is a first-instance court.

9. Even after the establishment of a constitutional Government for Puerto Rico in 1952, United States congressional authority over Puerto Rico remained unaltered. The United States Congress is vested with plenary power over Puerto Rico, including in the areas of defence, international relations, external trade, monetary and other matters, while the island is vested with local authority over designated areas. All laws concerning the Territory's relations with the United States remained in force through the Federal Relations Act (see A/AC.109/L.976, paras. 120-132), under which Puerto Rico was brought within the trade, tariff and monetary systems of the United States. The United States also undertook responsibility for the defence of Puerto Rico. In 1958, Puerto Rico's Legislative Assembly requested changes in the Federal Relations Act, but they were not enacted. In 1959, three bills requesting changes in the political status of the Territory were submitted to the United States Congress, but no action was taken on any of them.

10. The results of a 1993 plebiscite, with virtually identical options to those offered in a previous plebiscite in 1967, were 48.4 per cent for the status quo (commonwealth), 46.2 per cent for statehood and 4 per cent for independence. Following this result and a request for clarification by the Legislative Assembly of Puerto Rico, Congress replied that the definition contained expectations that were not viable (see A/AC.109/1999/L.13, paras. 172-180). The Legislative Assembly then voted to hold another plebiscite in 1998.

11. The results of the plebiscite held on 13 December 1998 were as follows: 50.4 per cent for "none of the above", an option included by means of court action pursued by PPD; 46.7 per cent for statehood; 2.3 per cent for independence; 0.3 per cent for free association; and 0.06 per cent for commonwealth status. In the plebiscite, independence supporters distinguished themselves by also casting votes with the "none of the above" option, in an act of repudiation of what was considered an undemocratic exercise. Some political and civil society sectors increasingly question the validity of plebiscites by whose results the Government of the United States is not bound, and also whether the United States is actually willing to extend statehood. Many also call for a process of self-determination and decolonization in conformity with General Assembly resolution 1514 (XV) and resolutions of the Special Committee on the matter.

12. In July 2005, a vote was held whereby 84 per cent of voters opted in favour of a unicameral legislature for Puerto Rico. Although only 22 per cent of registered voters participated in that referendum, the results triggered a process whereby another referendum was to be held in 2007 to potentially amend Puerto Rico's Constitution and establish a one-house system in 2009. On 29 June 2007, however, the Supreme Court of Puerto Rico ruled that it could not force the Legislative Assembly to initiate a constitutional amendment process for establishing a unicameral legislative system.

13. After the 1998 plebiscite, the then President of the United States, William J. Clinton, established the President's Task Force on Puerto Rico's Status. On 5 December 2003, the then President of the United States, George W. Bush, named the 16 members of his Task Force, at the same time amending Mr. Clinton's executive order so that the Task Force would be required to report on the progress made every two years instead of annually.

14. In its December 2005 report, the Task Force stated that, while the current territorial status might continue so long as Congress desired, there were only two

non-territorial options recognized by the United States Constitution, namely, statehood within the United States or full independence. The Task Force concluded that Puerto Rico belonged to but was not a part of the United States. It envisaged a two-stage process for an approach to the status issue. It first recommended that a federally sanctioned plebiscite be held in 2006 to ascertain whether the people of Puerto Rico wished Puerto Rico to remain a United States territory subject to the will of Congress or whether they wished to pursue a constitutionally viable path towards permanent non-territorial status with the United States. The Task Force then recommended that, if the voters chose to change the current territorial status, an additional referendum should allow them to decide between statehood and independence. If, on the other hand, the voters elected to maintain the current territorial status, the Task Force recommended that plebiscites be held periodically to keep Congress informed of the people's wishes.

15. It is important to note that, both before and since the issuance of the 2005 Task Force report, some have questioned whether Puerto Rico's status as a United States territory is consistent with statements that the United States made to the United Nations in 1953, following the adoption of Puerto Rico's Constitution, in requesting that Puerto Rico be removed from the list of Non-Self-Governing Territories. In its official request to the United Nations, the United States stated that Congress had given Puerto Rico the freedom to conduct its own internal government subject only to compliance with federal law and the United States Constitution.

16. Prior to the submission of the official request, the United States representative to the United Nations indicated orally that mutual consent would be needed to make changes in the relationship between Puerto Rico and the United States. That statement notwithstanding, the Department of Justice concluded in 1959 that Puerto Rico remained a Territory and was fully subject to congressional authority under the territorial clause of the United States Constitution. A broad spectrum of Puerto Rico's political and civil society sectors participating in hearings on Puerto Rico by the Special Committee maintain that the process of consultation of the Puerto Rican people regarding the status issue should take place in the context of international law, United Nations resolution 1514 (XV) and resolutions on Puerto Rico adopted by the Special Committee since 1973.

17. In early 2007, the United States House of Representatives reopened its consideration of the political status of Puerto Rico, as two pieces of draft legislation aimed at resolving the status issue were debated in the Subcommittee on Insular Affairs of the Committee on Natural Resources. In March 2007, hearings were held on the two approaches.

18. The Puerto Rico Democracy Act of 2007 (H.R.900) was introduced on 7 February. The bill stated, inter alia, that:

> The Puerto Rico State Elections Commission shall conduct a plebiscite in Puerto Rico during the 111th Congress, but not later than 31 December 2009. The ballot shall provide for voters to choose between only the following two options: (1) Puerto Rico should continue the existing form of territorial status as defined by the Constitution, basic laws, and policies of the United States; (2) Puerto Rico should pursue a path towards a constitutionally viable permanent non-territorial status.

19. A second bill, the Puerto Rico Self-determination Act of 2007 (H.R.1230), was introduced on 28 February 2007, recognizing the right of the people of Puerto Rico to call a constitutional convention through which the people would exercise their natural right to self-determination and to establish a mechanism for congressional consideration of such a decision. The constitutional assembly is a procedural mechanism for the decolonization of Puerto Rico, which has gained ground on the island in recent years. This mechanism is supported by the Puerto Rico Bar Association and is mentioned in resolutions of the Special Committee on Puerto Rico. That bill had not been voted on by the end of the 2007 and 2008 sessions of Congress.

20. In December 2007, the President's Task Force issued its second report on the question of the status of Puerto Rico. Again concluding that there were only two options available under the United States Constitution, the Task Force reiterated the three recommendations that it had put forward in its 2005 report.

21. It was widely reported in the press in Puerto Rico that, on 2 January 2009, the President of the United States, Barack Obama, in a message sent to the new Governor of Puerto Rico, Luis Fortuño, reiterated that he would try to resolve the colonial case of Puerto Rico during his first term.

22. The President's Task Force on Puerto Rico's Status, as constituted under the Obama Administration, held its first meeting on 15 December 2009, expanding its focus to include matters affecting the economic development of Puerto Rico. President Obama signed an executive order on 30 October 2009 that preserved the Task Force's original mission and required it to provide advice and recommendations to the President and Congress on policies that promoted job creation, education, health care, clean energy and economic development on the islands. The Task Force comprises designees of each member of the President's Cabinet and the Co-Chairs of the President's Inter-Agency Group on Puerto Rico.

23. On 3 March 2010, the Task Force held hearings in San Juan. Testimony reflected a consensus that the Task Force must first address the status issue. The possibility of the constitutional assembly's serving as a mechanism for deciding the future political status of Puerto Rico was also broadly discussed during the hearings. There was objection to changes under the agenda of the Task Force, it being argued that it was contradictory to speak of economic development under the colonial model. The third report of the Task Force, issued in March 2011, included an overview of the relationship between the United States and Puerto Rico and the status issue, an executive summary covering status, economic development and recommendations in relation to Vieques, and a description of the next steps of the Task Force, which included the implementation of the recommendations, consideration of reports received from its members on the engagement of federal agencies concerning the recommendations presented in the report, and the holding of at least two summits in Puerto Rico in the following two years focusing on specific subject areas.

24. Most of the report's content on status consisted of recommendations for an accelerated decision process regarding the status issue whereby Puerto Ricans could express their will regarding status options and action would be taken by the end of 2012 or soon after. The Task Force recommended that under the United States Constitution the permissible status options include statehood, independence, free association and nationhood as a free associated State (commonwealth). The report

included a description of each option. The Task Force specified that the United States Congress had the ultimate authority over the admission of States and that full independence involved a transition, including regarding citizenship status. The Task Force recommended that citizenship be preserved for Puerto Ricans who are United States citizens at the time of any transition to independence. The Task Force stated that under the commonwealth option, Puerto Rico would remain, as at present, subject to the territorial clause of the United States Constitution, although its local political autonomy should not be reduced or threatened. It also stated that proposals for an enhanced commonwealth status (commonwealth with greater powers) remained problematic because the mutual consent consideration was one that a future Congress could choose to alter unilaterally.

25. The Task Force further stated that it had a marginal preference for a two-plebiscite process in which the people of Puerto Rico would first vote as to their preference for becoming a part of the United States through statehood or the commonwealth, or for becoming independent through independence or free association. A second plebiscite would then be held with a choice offered among available options, as limited by the outcome of the first. If independence were chosen, a second vote would be held on full independence versus free association. Regarding Vieques, the Task Force recommended measures for accelerating its clean-up, for boosting sustainable growth, for improving the quality of health care for Vieques residents and for protecting Mosquito Bay, which is bioluminescent.

26. Reactions to the latest report of the Task Force, as covered by the press in Puerto Rico, were mixed regarding the status recommendations, encompassing statehood supporters, proponents of the application of international law to the case of Puerto Rico and those whose opinion was that the marginal preference of the Task Force for the two-plebiscite process favoured the statehood option. The argument suggested in the last-mentioned case was that, if the choice was for Puerto Rico to continue to be a part of the United States, then in the second plebiscite, free associated State supporters would be divided, owing to the added option of free association.

27. Another reaction was that the extensive recommendations in the report regarding Puerto Rico's economy and social matters were tied to a status consultation process seen as favouring statehood, since the recommendations regarding the economy tended towards the further incorporation of Puerto Rico into the United States through increasing the control of federal agencies in the areas of education, health, security, the justice system, communications and energy. A future vote by the people of Puerto Rico for commonwealth status would then involve a choice not for such status as it exists today, but rather for further integration into the United States, albeit not for the status of an incorporated territory. In his 2013 State of the Union address, delivered after having been inaugurated for his second term, Mr. Obama did not mention Puerto Rico, as some observers had expected he would.

28. A plebiscite, the fourth in the past 45 years, was held in Puerto Rico on 6 November 2012, on the same day as gubernatorial and municipal elections and the United States presidential elections. Almost 80 per cent of the island's electorate took part in the plebiscite.

29. Puerto Rican voters were asked: (a) whether they agreed with maintaining Puerto Rico's territorial status (commonwealth, yes or no); and (b) to indicate the political status they preferred from among three possibilities: statehood,

independence or "sovereign commonwealth", a version of commonwealth status not supported by PPD. On the first question, 970,910 (54 per cent) voted "no", i.e., in opposition to maintaining the current political status, and 828,077 (46 per cent) voted "yes", i.e., in favour of maintaining the current political status. Of those who pronounced on the second question, 834,191 (61.16 per cent) chose statehood; 454,768 (33.34 per cent) chose free association; and 74,895 (5.49 per cent) chose independence. Some argue, on the basis of that result, that statehood was the clear victor and that blank votes should not be taken into account. However, 26 per cent of the voters left the second question blank, and there appears to be overall agreement that those voters were not in favour of statehood. Therefore, some maintain that when the blank or protest votes are factored in, the absolute majority (55 per cent) is actually against statehood. On the basis of those results, it appears that Puerto Ricans rejected the current commonwealth government status but were unable to agree on an alternative.

30. Puerto Rico has viewed the plebiscite as, alternatively, an opportunity to improve the island's economic future, a chance to shake off the vestiges of its colonial past and a ploy on the part of the Governor to win a second term. In Washington, D.C., the response to the 2012 plebiscite was mixed. The interpretations of the results by some members of the United States Congress mirrored the diverse interpretations on the island. In April 2013, Mr. Obama indicated that the United States budget included $2.5 million for yet another plebiscite. In August, the United States Senate Energy and Natural Resources Committee held a hearing on the referendum. The Chairman of the Committee, Ron Wyden (Democrat of Oregon), and Representative Lisa Murkowski (Republican of Alaska), the ranking Republican member of the panel, concurred that the vote made clear that the majority of Puerto Ricans did not favour the "current territorial status".

31. For its part, in December 2013, the White House issued a statement noting that:

> (T)he results were clear, the people of Puerto Rico want the issue of status resolved, and a majority chose statehood in the second question. Now is the time for Congress to act and the administration will work with them on that effort so that the people of Puerto Rico can determine their own future.

32. In 2014, the Puerto Rico Status Resolution Act (S. 2020) was introduced before the United States Senate and on 12 February 2014, referred to the Committee on Energy and Natural Resources. The bill would authorize the State Elections Commission of Puerto Rico to provide for a ratification vote on the admission of Puerto Rico as a State of the United States on an equal footing with the several States in all respects. The bill was not enacted. In 2013, a bill setting forth the process for Puerto Rico's being admitted as a State of the Union (H.R. 2000) was introduced before the United States House of Representatives, but was not enacted.

33. On 4 February 2015, Puerto Rico's Resident Commissioner in Washington, D.C., introduced, before the United States House of Representatives, a bill (the Puerto Rico Statehood Admission Process Act (H.R. 727)) setting forth the process for Puerto Rico's admission as a State of the Union. The bill was assigned to the Committee on Natural Resources which has jurisdiction over Puerto Rico-related issues. At the time of the writing of the present report, no further action had been reported.

34. Mr. Obama's budget for fiscal year 2015 sought $2.5 million for objective, non-partisan voter education regarding, and a plebiscite on, options that would resolve Puerto Rico's future political status, which should be provided to the State Elections Commission of Puerto Rico. According to the Office of Justice Programs of the United States Department of Justice, the President's 2015 budget did not request a carve-out under the Edward J. Byrne Justice Assistance Grant program to support voter education on a plebiscite regarding the future political status of Puerto Rico. The funding provided for this program in fiscal year 2014 should be sufficient to carry out this program, since it is a one-time event rather than a continuing program. Further, the funds provided for the plebiscite should not be obligated until 45 days after the Department notified the Committees on Appropriations that it approved of an expenditure plan from the Puerto Rico State Elections Commission for voter education and plebiscite administration, including approval of the plebiscite ballot. This notification should include a finding that the voter education materials, plebiscite ballot and related materials were not incompatible with the Constitution and laws and policies of the United States. Regarding that possible plebiscite, the Governor of Puerto Rico appointed a commission integrated by former presidents of PPD whose task it was to define the options to be presented to the Puerto Rican people in the plebiscite. The members of this commission have not presented a report because they have been unable to reach an agreement, owing to the fact that a sector of PPD would like to legitimize once again the present free associated state status.

35. On the basis of a paper presented by an expert, Wilma Reveron-Collazo, the limitations of the projected plebiscite from the perspective of international decolonization law were broadly discussed in the Caribbean regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, sponsored by the Special Committee and held in Quito in May 2013.

36. In March 2014, the United States Government Accountability Office released a report entitled "Puerto Rico: information on how statehood would potentially affect selected federal programs and revenue sources" (GAO-14-31). The report reviewed what changes to selected federal programs and revenue sources might be made should Puerto Rico become a State. The report findings showed that of the 29 federal programs reviewed, statehood would likely affect 11. As regards three other programs, while the programs themselves would likely not change under statehood, eligibility determinations for these programs could be affected indirectly by changes to benefits in other programs. Statehood would not likely affect the 15 remaining programs.

III. Recent developments

A. Political developments

37. As described in previous reports, apart from general political questions, three specific issues have been raised at the meetings of the Special Committee in recent years stemming from the political status of Puerto Rico and its relationship with the United States: (a) the United States military presence in Puerto Rico, particularly on the island of Vieques; (b) the imprisonment in the United States of pro-independence Puerto Ricans accused of seditious conspiracy and weapons

possession; and (c) the application of the death penalty to Puerto Ricans convicted on federal charges. In recent years, the issue of increased political persecution has been raised.

38. Throughout the incumbency of the Government of Puerto Rico elected in 2008, the major newspapers on the island reported on its intolerance towards minority views and violations of civil rights. Since 2010, they have reported on police abuse and on the compulsory nature of membership in the Puerto Rican Bar Association, a civil rights organization founded more than 140 years ago. In September 2011, the United States Department of Justice issued a report[3] in which concern was expressed regarding the excessive use of force by the Puerto Rico police, for example, against striking students. The report concluded that the police had violated the civil rights of broad sectors of the population. It also indicated the existence of police corruption. In September, the United States Attorney-General's office issued a report noting that Puerto Rico led all United States districts in the number of public corruption convictions (130) in 2011. In April 2013, it was revealed that the Obama Administration had allocated $95 million for the establishment of a Federal Bureau of Investigation facility in Puerto Rico.

39. The Governor of Puerto Rico, Alejandro García Padilla of PPD, was inaugurated on 2 January 2013 following a narrow victory in the 2012 elections. He secured 47.8 per cent of the vote against 47 per cent for Mr. Fortuño. After eight years in the minority, PPD now controls both the legislative and the executive branches for the first time since 2004. The next elections for Governor, the Senate and the House of Representatives are scheduled for November 2016.

40. The issue of the Puerto Ricans accused of seditious conspiracy and weapons possession and imprisoned in the United States (including Oscar López Rivera, who has been incarcerated for 34 years) has been covered in previous reports. In essence, a number of Puerto Rican organizations and political and civil leaders have claimed over the years that these were essentially political prisoners who received disproportionately long sentences. In August 1999, Mr. Clinton offered to release the prisoners conditionally, if they formally renounced violence. The offer was accepted by 11 of the original 15 prisoners, while 1 accepted a deal whereby he would be set free in five years. During 2002, another 2 of the original 15 prisoners were released although 1, Antonio Camacho Negrón, was rearrested in August 2006 by the Federal Bureau of Investigation. Of the two remaining prisoners, Carlos Alberto Torres was paroled in July 2010, while Oscar López Rivera (now 72 years old) was denied parole on 18 February 2011 and remains in a maximum security federal prison in Terre Haute, Indiana. His appeal against that decision was rejected. Campaigns for the release of Mr. López Rivera have continued. He is said to be among the longest-held political prisoners in the history of Puerto Rico and in the world.

41. The National Boricua Human Rights Network submitted a petition for executive clemency to Mr. Obama, urging him to exercise his constitutional power of pardon to commute Mr. López Rivera's sentence from 70 years to time served and release him, noting that, by May 2013, he would have served 31 years in United States prisons. In June 2013, the daughter of Mr. López Rivera spoke before the Special Committee for the first time.

[3] See www.justice.gov/crt/about/spl/pr.php.

42. Avelino González Claudio, who was arrested in March 2008, was released on 6 December 2012. His brother, Norberto González Claudio, arrested on 10 May 2011, was sentenced to five years in a United States prison. He was recently released after serving his sentence.

43. According to the Puerto Rican media and as reflected in recent resolutions of the Special Committee concerning Puerto Rico, there is a strong consensus among Puerto Ricans in favour of the release of those imprisoned in cases related to the struggle for independence, in particular Mr. López Rivera. Such calls have come from persons ranging from the Governor of Puerto Rico and the Resident Commissioner in Washington, D.C., to figures in the arts and the Puerto Rican entertainment domain, and from local communities. Support on the international level includes the Movement of Non-Aligned Countries. In late 2007, the Senate of Puerto Rico adopted a resolution in favour of the release of the prisoners.

44. On 5 November 2014, the thirteenth General Assembly of the Parliamentary Confederation of the Americas and the twelfth annual meeting of the Network of Women Parliamentarians of the Americas, held in Asunción, adopted a resolution asking the President of the United States to show mercy and release Puerto Rican political prisoner Oscar López Rivera. The resolution was presented by two Puerto Rican senators of PPD.

45. Lolita Lebrón, who was incarcerated in United States prisons from 1954 to 1979 for pro-independence actions, died on 1 August 2011.

46. The issue of the application of the death penalty to Puerto Ricans convicted of crimes despite the abolition of the death penalty in Puerto Rico in 1929, which was upheld in the 1952 Constitution, has been described in previous reports. At the meeting of the Special Committee in June 2014, several petitioners from Puerto Rico voiced their opposition to the death penalty. The representative of the Puerto Rican Coalition against the Death Penalty stated that in the preceding decade, seven capital cases had been tried in the United States District Court for the District of Puerto Rico, but that the juries had refused to apply the death penalty, thereby sending a clear message that Puerto Ricans were opposed to it. Puerto Rico was one of the five jurisdictions with the highest rates of capital prosecution, in proportion to population, by the United States federal Department of Justice over the last 15 years. Death penalty trials were conducted entirely in English, a language in which only 10 per cent of Puerto Ricans could communicate, and people who declared themselves unwilling to apply that penalty were excluded from sitting on juries. The Government of Puerto Rico did not have the power to refuse the extradition to the United States of Puerto Ricans accused of offences subject to the death penalty. The representative of the Puerto Rican Coalition against the Death Penalty requested the Special Committee to refer in its resolution to the fact that Puerto Rico was the only jurisdiction in the world in which the death penalty had been abolished by the people but continued to be imposed by United States legislation. The text should also include the demand that the United States Government declare a total and immediate moratorium on the death penalty in Puerto Rico and prohibit its imposition in the cases already under way in the United States District Court for the District of Puerto Rico.

47. On 16 March 2015, organizations from Puerto Rico made statements regarding the status of human rights in Puerto Rico during an audience before the seven Commissioners of the Inter-American Human Rights Commission, which was held

at the beginning of its 154th period of sessions. They discussed discrimination in Puerto Rico, including against women, children with handicaps and immigrants, and efforts by the United States Government to impose the death penalty in Puerto Rico in violation of the Constitution of Puerto Rico. The representative of the United States in the Organization of American States requested that the Government of Puerto Rico be represented by its Secretary of State, César Miranda. In his intervention, the Secretary of Justice called for the release of political prisoner Oscar López Rivera, while the Secretary of State, who was also present, stated that Puerto Rico should be included in the reports of the Commission.

B. Military developments

48. The tenth anniversary of the cessation of military operations of the live-missile and bombing range operated by the United States was marked in 2013. As previously reported, for many years Puerto Rico held an important military-strategic position within the United States Naval Forces Southern Command. In addition to its other military operations in Puerto Rico, from 1941 to May 2003, the United States Navy operated on Vieques, an island of just under 10,000 inhabitants located eight miles off the east coast of Puerto Rico. Vieques was used for naval gunfire support, air-to-ground ordnance training and amphibious assault exercises. Details of the military exercises conducted on Vieques during the period when the Navy occupied part of the island and of the related civil disobedience campaigns, arrests and lawsuits are to be found in previous reports of the Rapporteur of the Special Committee. Following the cessation of the military operations, the Department of the Navy retained responsibility for the environmental clean-up of the property, which is now a national wildlife refuge. According to recent reports in the press, the United States has so far removed more than 16.5 million pounds of munitions in an environmental clean-up expected to last through at least 2025.[4] The Puerto Rico College of Physicians and Surgeons considered it alarming, however, that in the past 10 years, the clean-up had achieved the removal of only 5 per cent of the contaminants.[5]

49. The people of Vieques continue to struggle for the resolution of related issues: (a) environmental clean-up and decontamination; (b) the return of the United States Navy lands, now under the jurisdiction of the Department of Interior Fish and Wildlife Service, to Puerto Rican peoples; (c) sustainable development and the health crisis; and (d) the future of the United States Roosevelt Roads Naval Station on the main island of Puerto Rico.

50. Vieques has been sectioned off for the purpose of the clean-up activities, with a portion of the eastern part transferred to the Fish and Wildlife Service of the United States Department of the Interior, to be added to the existing Vieques National Wildlife Refuge. The United States Navy managed approximately 14,600 acres in the eastern portion of Vieques, which were used for amphibious training exercises and air-to-ground manoeuvres. Unexploded ordnance and remnants of exploded ordnance, which contain hazardous substances, have been identified in that area and in the surrounding waters. The United States Environmental Protection Agency has also indicated that the hazardous substances associated with ordnance that might be

[4] *Fox News Latino*, 22 March 2013.

[5] Agencia EFE, San Juan, 26 October 2013.

present in Vieques include TNT, napalm, depleted uranium, mercury, lead and other chemicals.

51. In the western portion of Vieques, the Navy operated an ammunition facility until 1948. The facility was reactivated in 1962 and closed in 2001. Later that year, the Navy transferred 3,100 acres to the Department of the Interior, 4,000 acres to the Municipality of Vieques and 800 acres to the Puerto Rico Conservation Trust.

52. In February 2005, the Vieques portion of the proposed Atlantic Fleet Weapons Training Area site was placed on the Environmental Protection Agency National Priorities List of the most hazardous waste sites in the country.

53. In March 2008, a federal inter-agency agreement was announced between the Environmental Protection Agency, the Department of the Navy, the Department of the Interior and the Commonwealth of Puerto Rico for the clean-up of portions of Vieques and its surrounding waters. The agreement requires that the environmental impacts associated with past and present activities on Vieques and its surrounding waters be thoroughly investigated and that appropriate actions be taken in order to protect the community and the environment.

54. Culebra Island, located about nine miles north of Vieques, was also part of the United States Navy training facilities. Although military activities ceased on Culebra in 1975 in response to public safety concerns, clean-up of the island has been slow, owing in part to legal issues regarding the use of federal funds.

55. Some 7,000 Vieques residents collectively sought compensation for health and property damage in the billions of dollars in a lawsuit, *Sánchez et al v. United States*, in which they claimed that the United States Navy had been guilty of negligence by exposing the 10,000-strong population of Vieques to dangerous levels of toxins for more than 50 years, leading to a cancer rate in Vieques that was 30 times higher than that for the rest of Puerto Rico and other long-term effects. The plaintiffs' lawsuit failed.

56. On 8 December 2011, in a 361-page report released for public comment,[6] the United States Agency for Toxic Substances and Disease Registry, while accepting local claims that there was a higher incidence of cancer and other health problems on Vieques relative to the rest of Puerto Rico, stated that no proof existed that the problem was linked to United States military activity. The long-awaited report was widely criticized by Puerto Rican officials and Vieques residents long resentful of the infliction of health problems that they attributed to the United States Navy. The Resident Commissioner of Puerto Rico and United States Congressman Steve Rothman also opposed the report (A/AC.109/2012/L.13).

57. In another report, the Agency, referring to the scientific data presented on health problems on Vieques, said that the limitations associated with those analyses introduced considerable uncertainty and made interpretation difficult. It maintained that elevated levels of some chemicals found in people's bodies could be attributed to causes other than military activity; and suggested that United States officials could work with the Government of Puerto Rico in obtaining additional samples and keeping track of health conditions on Vieques.

[6] Available from www.atsdr.cdc.gov/hac/pha/vieques/2011_ViequesReport.pdf.

58. The report warned that some areas of the former bombing range continue to present a risk, stating that recently collected data demonstrated the remaining potential for localized contamination, which, if those areas were frequented by people, could become a health concern. The United States Navy has said that its forces accidentally fired 263 rounds of ammunition tipped with depleted uranium on the Vieques range in 1999, violating federal law.

59. According to some observers, the new report contains conclusions recycled from the 2003 report and lacks credibility. Public comments were to be submitted to the Agency for Toxic Substances and Disease Registry by 8 March 2012, after which the Agency would issue a final report, to include recommendations for future work to be carried out on Vieques.

60. According to the office of Puerto Rico's Resident Commissioner, a bipartisan group of 17 members of the United States Congress addressed a letter in March 2014 to the United States Secretary of Defense urging the Department of Defense to fulfil its responsibilities regarding the clean-up of the islands of Vieques and Culebra. The letter included three specific requests First, the letter pointed out that one decade after the military had stopped conducting training exercises on Vieques and nearly 40 years after the military had stopped conducting training exercises on Culebra, there were still meaningful gaps in information about the types and amounts of munitions used on both islands, as well as unanswered questions about potential links between these past exercises and current public-health conditions; in this regard, the letter noted that citizens of Puerto Rico and, in particular, residents of Vieques and Culebra had a compelling interest in knowing, with a reasonable degree of precision, which types of weapons were used, where they were used and in what volume they were used in both islands; the letter further noted that the congressional report accompanying the National Defense Authorization Act for Fiscal Year 2014 encouraged the Department to make public all of its historical documents relating to its activities on Vieques and Culebra. Second, the letter urged the Department to implement what was suggested by the congressional language through allocation of the full amount of funding necessary to complete the clean-up of Vieques as soon as possible. Finally, the letter reminded the Department that there was a serious public safety threat in Culebra which required prompt resolution.

61. On 10 December 2014, Puerto Rico's Resident Commissioner announced that, as part of a comprehensive bill to fund the federal Government for the remainder of Fiscal Year 2015, the United States Congress had appropriated $17 million for the clean-up of Vieques and $1.4 million for the clean-up of Culebra. The report accompanying the bill also directed the Department of Defense to take a number of steps to improve the clean-up of the two islands.

C. Economic developments

62. According to the Government Development Bank for Puerto Rico,[7] the dominant sectors of Puerto Rico's economy in terms of production and income are manufacturing and services. Almost 90 per cent of manufacturing is generated by

[7] Government Development Bank for Puerto Rico, "Commonwealth of Puerto Rico: Financial Information and Operating Data Report", 30 October 2014.

chemical and electronic products. The service sector plays a major role in the economy. It ranks second to manufacturing in contribution to gross domestic product (GDP) and leads all sectors in providing employment. The economy of Puerto Rico is closely linked to that of the United States. During fiscal year 2014, about 71.8 per cent of Puerto Rico's exports went to the United States mainland, which was also the source of approximately 47.2 per cent of Puerto Rico's imports. In fiscal year 2014, Puerto Rico experienced a positive merchandise trade balance of approximately $20 billion.

63. Since 2006, Puerto Rico has been in an economic recession. The Economic Activity Index, a measure of the economic activity of Puerto Rico developed by the Government Development Bank for Puerto Rico GDB,[8] registered a 1.4 per cent year-over-year reduction in December 2014 compared with December 2013. In October 2014, the Bank reported that the number of persons employed in Puerto Rico during fiscal year 2014 averaged 1,006,646, representing a decrease of 2.2 per cent compared with the previous fiscal year and that the unemployment rate averaged 14.3 per cent. During the first three months of fiscal year 2015, total employment averaged 974,800, representing a 3.3 per cent reduction with respect to the same period of the previous year, and the unemployment rate averaged 14 per cent compared with a figure of 14.9 per cent for the same period of the previous year.

64. In February 2015, Standard & Poor's Rating Services lowered Puerto Rico's general obligation debt by three notches, to B from BB, citing a judge's decision to void the plan for debt restructuring and Puerto Rico's potential inability to pay its debts. In a press release dated 12 February 2015, the President of the Bank expressed her disappointment with the decision, which also entailed downgrading of outstanding bonds of the Bank and other entities, including the Puerto Rico Sales Tax Financing Corporation and the Puerto Rico Municipal Finance Agency.

65. In February 2015, a United States federal judge declared the Puerto Rico Public Corporation Debt Enforcement and Recovery Act (enacted in June 2014) unconstitutional by virtue of allowing a State Government to modify municipal debt. In February 2015, the Justice Secretary announced that the Justice Department of Puerto Rico would file an appeal with the United States Court of Appeals.

66. In February 2015, Puerto Rico's Resident Commissioner re-introduced legislation that would empower the government of Puerto Rico to authorize one or more of its Government-owned corporations, if they were to become insolvent, to restructure their debts under Chapter 9 of the United States Bankruptcy Code. The bill was endorsed by the National Bankruptcy Conference, an organization that advises the United States Congress on proposed changes to federal bankruptcy law.

67. The policy of privatization of public enterprises or their components as an economic development measure has met with discontent. Despite broad protests against a proposal to privatize the administration of Puerto Rico's Luis Muñoz Marín International Airport, the Federal Aviation Administration approved the contract with Aerostar Airport Holdings.

68. As an austerity measure aimed at reducing Puerto Rico's then $3.2 billion budget deficit and address the issue of high public sector employment, more than 20,000 workers have been laid off since 2009.

[8] Government Development Bank of Puerto Rico, Economic Activity Index, December 2014.

69. The agricultural sector remains small and is declining. According to the Government Development Bank for Puerto Rico, agricultural production represents less than 1 per cent of Puerto Rico's GDP and agricultural employment in Puerto Rico accounted for 1.7 per cent of total employment in fiscal year 2014.

D. Regional developments

70. In the Declaration adopted at the Third Summit of the Community of Latin American and Caribbean States, held in Belén, Costa Rica, on 28 and 29 January 2015, Heads of State and Government highlighted the Latin American and Caribbean character of Puerto Rico and, in noting the resolutions on Puerto Rico adopted by the Special Committee, reiterated that the issue was of interest to the Community. Member countries of the Community of Latin American and Caribbean States committed themselves to continue working, in the framework of international law, particularly in the framework of General Assembly resolution 1514 (XV), to make the region of Latin America and the Caribbean a territory free of colonialism and colonies. They entrusted the Community Quartet, together with other member States that wished to join the mandate, to submit proposals for moving forward on the matter.

71. The Final Declaration adopted by the Heads of State and Government of the Bolivarian Alternative for the Peoples of Our Americas (ALBA), who met in Havana on 14 December 2014, ratified Puerto Rico's Latin American and Caribbean nature and reiterated that its full independence and decolonization constituted a matter of great interest to the member countries of ALBA (para. 23).

IV. Previous action taken by the United Nations

A. General

72. Since 1953, the United States has maintained a consistent position regarding the status of Puerto Rico and the competence of United Nations organs to examine that status, based on resolution 748 (VIII), by which the General Assembly released the United States from its obligations under Chapter XI of the Charter of the United Nations. It has maintained that Puerto Rico has exercised its right to self-determination, has attained a full measure of self-government, has decided freely and democratically to enter into a free association with the United States and is therefore beyond the purview of United Nations consideration. The Puerto Rican forces in favour of decolonization and independence have contested this affirmation. In paragraph 9 of resolution 748 (VIII), the Assembly expressed its assurance that due regard would be paid in the eventuality that either of the parties to the mutually agreed association might desire any change in the terms of that association.

73. Information on action taken by United Nations bodies with regard to Puerto Rico prior to 1974 is contained in the 1973 report of the Rapporteur (A/AC.109/L.976) and following reports.

B. Action taken by the Special Committee

74. At its 1st meeting, on 20 February 2014, by adopting the suggestions relating to the organization of work put forward by the Chair (see A/AC.109/2014/L.2), the Special Committee decided to take up the item entitled "Special Committee decision of 17 June 2013 concerning Puerto Rico" and to consider it at plenary meetings.

75. At the 3rd and 4th meetings, on 16 and 23 June 2014, the Chair of the Special Committee drew attention to a number of communications received from organizations requesting to be heard by the Committee on the subject of Puerto Rico. The Special Committee agreed to accede to those requests and heard a number of representatives of the organizations concerned at its 4th and 5th meetings, both held on 23 June (see A/AC.109/2014/SR.4 and 5). At the 4th meeting, the Chair drew attention to a report prepared by the Rapporteur of the Special Committee (A/AC.109/2014/L.13).

76. At the 4th meeting, the representative of Cuba introduced draft resolution A/AC.109/2014/L.6.

77. At the 5th meeting, statements were made by the representatives of the Islamic Republic of Iran (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries), Nicaragua, the Bolivarian Republic of Venezuela, the Syrian Arab Republic, the Plurinational State of Bolivia, Ecuador and Costa Rica (on behalf of the States members of the United Nations that are members of the Community of Latin American and Caribbean States) (see A/AC.109/2014/SR.5). At the same meeting, the Special Committee adopted draft resolution A/AC.109/2014/L.6 without a vote. Following the adoption of the draft resolution, the representative of Cuba made a statement.

78. In the context of the approaching midpoint of the Third International Decade for the Eradication of Colonialism and the assessments and initiatives of the Special Committee regarding possible avenues in that regard, the Chair of the Bureau of the Special Committee, Diego Morejón, convoked a useful meeting with the representative of the Committee for Puerto Rico at the United Nations, Olga I. Sanabria Dávila.

C. Action taken by the General Assembly

79. During the sixty-ninth session of the General Assembly, no draft resolution on this issue was submitted to the Assembly for action.